

**223.425 Application for certificate or renewal -- Qualifications of water well driller -- Limited exemption for users of divining rods -- Term of certificate.**

- (1) Application for a certificate, or for renewal thereof, shall be made to the cabinet in writing under oath or affirmation, upon forms prescribed and furnished by the cabinet. The applications shall include:
  - (a) The name and address of the applicant;
  - (b) Prior experience, if any, in the field for which the applicant is applying;
  - (c) Any other information that the cabinet deems necessary in order to carry out the provisions of KRS 223.405 to 223.460; and
  - (d) All past and current licenses held in this or any other state relating to the provisions of KRS 223.405 to 223.460.
- (2) The cabinet may issue a water well driller certificate to any applicant who meets all of the provisions of KRS 223.405 to 223.460 and:
  - (a) Is at least eighteen (18) years of age; and
  - (b) Is a citizen of the United States or has declared an intention to become a citizen of the United States; and
  - (c) Has worked for two (2) years under the supervision of a certified water well driller or has other suitable experience or education as determined by the cabinet. For those in business on July 13, 1984, the two (2) year experience requirement shall be deemed satisfied if the driller has engaged in water well drilling, over the two (2) previous years; and
  - (d) Has a passing grade on the examination as determined by the cabinet.
- (3) Those persons in business for two (2) years on July 13, 1984, shall be deemed exempt from the examination requirements of this chapter and shall apply for and obtain a certificate by July 1, 1985.
- (4) Those persons who are water witchers, dowsers, diviners, and any others who use divining rods for the purpose of locating underground water resources shall be exempt from KRS 223.405 to 223.460 for the purpose of locating underground water resources, but are not exempt from the requirements of KRS 223.405 to 223.460 for the purpose of installing water wells.
- (5) The term of each certificate shall be one (1) year. Each certificate shall carry with it the right to successive renewal upon application and payment of fee, unless the board finds that the certified individual has failed to comply satisfactorily with KRS 223.405 to 223.460 or the regulations promulgated pursuant to KRS 223.420 or 223.435.

**Effective:** July 14, 1992

**History:** Amended 1992 Ky. Acts ch. 212, sec. 3, effective July 14, 1992. -- Amended 1990 Ky. Acts ch. 209, sec. 1, effective March 30, 1990. -- Created 1984 Ky. Acts ch. 215, sec. 6, effective July 13, 1984.